

2007 Assembly Bill 646

Date of enactment: **March 17, 2008**
Date of publication*: **March 31, 2008**

2007 WISCONSIN ACT 109

AN ACT *to repeal* 13.094, 233.04 (7) (f), 233.04 (8), 233.05 (3) and 233.27; *to renumber and amend* 15.96; *to amend* 15.07 (1) (a) 6., 15.07 (4), 15.96 (title), 233.02 (1) (a), 233.02 (1) (am), 233.02 (8), 233.03 (11), 233.04 (1), 233.04 (3b) (a) 1., 233.04 (10) and 233.10 (2) (intro.); *to repeal and recreate* 15.07 (4); and *to create* 15.96 (2) and 233.20 (3m) of the statutes; **relating to:** the University of Wisconsin Hospitals and Clinics Board and the University of Wisconsin Hospitals and Clinics Authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 13.094 of the statutes is repealed.

SECTION 2. 15.07 (1) (a) 6. of the statutes is amended to read:

15.07 (1) (a) 6. Members of the University of Wisconsin Hospitals and Clinics Board appointed under s. 15.96 (8) (1) (h) shall be appointed by the governor without senate confirmation.

SECTION 3. 15.07 (4) of the statutes is amended to read:

15.07 (4) QUORUM. A majority of the membership of a board constitutes a quorum to do business and, unless a more restrictive provision is adopted by the board, a majority of a quorum may act in any matter within the jurisdiction of the board. This subsection does not apply to actions of the University of Wisconsin Hospitals and Clinics Board, the ethics board, or the school district boundary appeal board as provided in ss. 15.96 (2), 19.47 (4) and 117.05 (2) (a).

SECTION 4. 15.07 (4) of the statutes, as affected by 2007 Wisconsin Act 1 and 2007 Wisconsin Act (this act), is repealed and recreated to read:

15.07 (4) QUORUM. A majority of the membership of a board constitutes a quorum to do business and, unless a more restrictive provision is adopted by the board, a majority of a quorum may act in any matter within the jurisdiction of the board. This subsection does not apply to actions of the government accountability board, the University of Wisconsin Hospitals and Clinics Board, or the school district boundary appeal board as provided in ss. 5.05 (1e), 15.96 (2), and 117.05 (2) (a).

SECTION 5. 15.96 (title) of the statutes is amended to read:

15.96 (title) University of Wisconsin Hospitals and Clinics Board; creation.

SECTION 6. 15.96 of the statutes is renumbered 15.96 (1), and 15.96 (1) (a) and (am), as renumbered, are amended to read.

15.96 (1) (a) ~~Three~~ Six members nominated by the governor, and with the advice and consent of the senate appointed, for ~~3-year~~ 5-year terms.

(am) Each cochairperson of the joint committee on finance or a member of the ~~committee~~ legislature designated by that cochairperson.

SECTION 7. 15.96 (2) of the statutes is created to read:

* Section 991.11, WISCONSIN STATUTES 2005-06 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

15.96 (2) Eight voting members of the University of Wisconsin Hospitals and Clinics Board constitute a quorum for the purpose of conducting the business and exercising the powers of the board, notwithstanding the existence of a vacancy.

SECTION 8. 233.02 (1) (a) of the statutes is amended to read:

233.02 (1) (a) ~~Three~~ Six members nominated by the governor, and with the advice and consent of the senate appointed, for ~~3-year~~ 5-year terms.

SECTION 9. 233.02 (1) (am) of the statutes is amended to read:

233.02 (1) (am) Each cochairperson of the joint committee on finance or a member of the ~~committee~~ legislature designated by that cochairperson.

SECTION 10. 233.02 (8) of the statutes is amended to read:

233.02 (8) The members of the board of directors shall annually elect a chairperson and may elect other officers as they consider appropriate. ~~Six~~ Eight voting members of the board of directors constitute a quorum for the purpose of conducting the business and exercising the powers of the authority, notwithstanding the existence of any vacancy. The members of the board of directors specified under sub. (1) (c) and (g) may not be the chairperson of the board of directors for purposes of 1995 Wisconsin Act 27, section 9159 (2). The board of directors may take action upon a vote of a majority of the members present, unless the bylaws of the authority require a larger number.

SECTION 11. 233.03 (11) of the statutes is amended to read:

233.03 (11) Issue bonds in accordance with ss. 233.20 to ~~233.27~~ 233.26.

SECTION 12. 233.04 (1) of the statutes is amended to read:

233.04 (1) By October 1, 1997, and annually thereafter, submit to the chief clerk of each house of the legislature under s. 13.172 (2), the president of the board of regents, the secretary of administration and the governor a report on the patient care, education, research and community service activities and accomplishments of the authority and an audited financial statement, certified by an independent auditor, of the authority's operations. ~~The financial statement shall include a separate accounting of the use of the payment under sub. (7) (f).~~

SECTION 13. 233.04 (3b) (a) 1. of the statutes is amended to read:

233.04 (3b) (a) 1. Delivering ~~comprehensive~~, high-quality health care to patients using the hospitals and to those seeking care from its programs, including a commitment to provide such care for the medically indigent.

SECTION 14. 233.04 (7) (f) of the statutes is repealed.

SECTION 15. 233.04 (8) of the statutes is repealed.

SECTION 16. 233.04 (10) of the statutes is amended to read:

233.04 (10) ~~Operate a poison control center under s. 146.57. If Children's Hospital of Wisconsin in the city of Milwaukee and Health System ceases to operate a poison control center under s. 146.57, the authority shall administer a statewide poison control program.~~

SECTION 17. 233.05 (3) of the statutes is repealed.

SECTION 18. 233.10 (2) (intro.) of the statutes is amended to read:

233.10 (2) (intro.) Subject to subs. (3), (3m), (3r) and (3t) and ch. 40 and the duty to engage in collective bargaining with employees in a collective bargaining unit for which a representative is recognized or certified under subch. I of ch. 111, the authority shall establish any of the following:

SECTION 19. 233.20 (3m) of the statutes is created to read:

233.20 (3m) The authority may not issue bonds or incur indebtedness described under s. 233.03 (12) unless one of the following applies:

(a) The bonds or indebtedness are a refinancing of existing bonds or indebtedness.

(b) If the authority has an unenhanced bond rating in the category of A or better from Moody's Investor Service, Inc., or in the category of A or better from Standard & Poor's Corporation, or equivalent ratings from those or comparable rating agencies when such rating systems or rating agencies no longer exist, the authority has provided notice to the joint committee on finance and the secretary of administration of the bond rating of the authority, the amount of the proposed bonds or indebtedness, and the proposed use of the proceeds, and the joint committee on finance has not notified the authority within 30 working days after receipt of the notice that the joint committee on finance has scheduled a meeting to review the proposed bonds or indebtedness and the secretary of administration has not notified the authority within 30 working days after receipt of the notice that the secretary will conduct further review of the proposed bonds or indebtedness.

(c) The joint committee on finance votes to approve the amount of the bonds or indebtedness and the secretary of administration, or his or her designee, has issued written approval of the bonds or indebtedness.

SECTION 20. 233.27 of the statutes is repealed.

SECTION 21. Nonstatutory provisions.

(1) Notwithstanding section 233.02 (1) (a) of the statutes, as affected by this act, of the initial terms of the 3 additional members of the board of directors of the University of Wisconsin Hospitals and Clinics Authority appointed under section 233.02 (1) (a) of the statutes, as affected by this act, one term shall expire on July 1, 2010, one term shall expire on July 1, 2011, and one term shall expire on July 1, 2012.

(2) Notwithstanding section 15.96 (1) (a) of the statutes, as affected by this act, of the initial terms of the 3 additional members of the University of Wisconsin Hos-

pitals and Clinics Board appointed under section 15.96 (1) (a) of the statutes, as affected by this act, one term shall expire on July 1, 2010, one term shall expire on July 1, 2011, and one term shall expire on July 1, 2012.

SECTION 22. Initial applicability.

(1) The treatment of section 233.02 (1) (a) of the statutes first applies to appointments made on the effective date of this subsection.

(2) The treatment of section 15.96 (1) (a) of the stat-

utes first applies to appointments made on the effective date of this subsection.

SECTION 23. Effective dates. This act takes effect on the day after publication, except as follows:

(1) The repeal and recreation of section 15.07 (4) of the statutes takes effect on the initiation date specified in 2007 Wisconsin Act 1, section 209 (1), or on the day after publication, whichever is later.